



## Chapter 4: Inter-state registration

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### **If I relocate to another state, do I still have to pay child support orders from the state that originally issued them?**

Yes. The Uniform Interstate Family Support Act ("UIFSA") requires states to enforce child support orders entered by other states.

### **If I register my out-of-state child support order in Delaware, can it be modified in Delaware?**

UIFSA prohibits states from modifying child support orders from other states unless certain jurisdictional requirements are met. Modification of the order can only occur under very strict circumstances. An existing support order can be registered as often as needed when an obligor relocates from state to state.

### **If I have a support order against me from another state and I move to Delaware, is this order still binding?**

Yes. Under UIFSA, a support order or income-withholding order issued by another state may be registered in this State for enforcement.

### **How do I go about registering a child support order from another state in Delaware?**

To register your out-of-state child support order in Delaware, you must complete an Affidavit and Request to Register a Foreign Support Order. You must file this form, along with two copies of the most recent foreign support order, one of which must be certified by the Court that issued it.

-a sample of this form may be found on page 12-13.

### **What happens after I file the Affidavit and Request to Register the Foreign Support Order?**

The Court will register the foreign support order and send a letter to the other party informing them that the order has been registered in Delaware. The other party may oppose the registration within 20 days. The Court will then hold a hearing. If the other party does not oppose the registration of the order, the order will remain registered in Delaware.

**It is strongly recommended that anyone seeking to enforce an out of state child support order enlist the services of the Division of Child Support Enforcement.**

# The Family Court of the State of Delaware

In and For ☐ New Castle ☒ Kent ☐ Sussex

Check the county in which you are filing.

## AFFIDAVIT AND REQUEST

## SUPPORT ORDER

Fill in information about the Petitioner (person requesting that the support order be registered) and Respondent (the other party in the original order).

### Petitioner

Name <b>Sarah Smith</b>	Name <b>Michael Jones</b>	
Street Address <b>111 South Oak Street</b>	Street Address <b>555 Main Street</b>	
Apt. or P.O. Box Number	Apt. or P.O. Box Number	
City <b>Dover</b>	State <b>DE</b>	Zip Code <b>19901</b>
Social Security Number <b>111-22-3333</b>	Date of Birth <b>2/25/1973</b>	
Attorney Name and Phone Number <b>n/a</b>		

File Number <b>CK04-0221</b>
Petition Number

BE IT REMEMBERED, that on this date, April 17, 2008

Sarah Smith

("Petitioner"), who, being duly sworn by me according to

The law personally appeared before me, a Notary Public for the State and County declared above, did depose and say:

1. I hereby request that the Family Court of the State of Delaware register the attached support order issued by a court of another state.
2. I have attached two (2) copies of said Order, at least one (1) of which is a certified copy.
3. To the best of my knowledge and belief, the arrearages owed are: \$ 2,400.
4. I have provided below the name, address and social security number of the obligor, listed as Respondent, above.
5. The name and address of the obligor's employer is:

Fill in the amount of arrears currently owed.

Name <b>DEF Corporation</b>		
Street Address <b>456 North Street</b>		
Apt. or P.O. Box Number		
City <b>Dover</b>	State <b>DE</b>	Zip Code <b>19901</b>

Fill in information about the Respondent's employer.

6. If the obligor owns property in Delaware that is not exempt from execution, that property is located at the following address:

Street Address <b>555 Main Street</b>		
Apt. or P.O. Box Number		
City <b>Dover</b>	State <b>DE</b>	Zip Code <b>19901</b>

Fill in information about any property that the Respondent owns.

7. I have simultaneously filed a petition or comparable pleading seeking enforcement of this Order.

In order to request that the Court register your foreign support order, you must also be asking that the Court enforce that support order. Therefore, you must also file a separate pleading requesting enforcement.

Sign in the presence of a notary.

*Sarah Smith*

Affiant

SWORN TO AND SUBSCRIBED before me this date April 17, 2008

This portion will be completed by a notary/court staff.

**Donna King**  
Notary Public